

PETITIONS FOR RULEMAKING

Docket No.	Petitioner	Regulations affected	Description of the petition
25323	Aviation Consumer Action Project	14 CFR Part 21	To require that air carriers provide every passenger with a protective breathing device in the event of an in-flight or post-crash fire in which toxic fumes and smoke are present. <i>Petitioner's Reason for Rule:</i> Many accidents involving passenger airlines have shown that occupants who survive an airplane crash are often incapacitated by the smoke and toxic fumes released when a post-crash fire breaks out, and that for this reason alone, they fail to evacuate the airplane in a timely manner.

[FR Doc. 88-752 Filed 1-14-88; 8:45 am]
BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket No. C-2640]

Redman Industries, Inc.; Mobile Home Owners Warranty and Warranty Practices

AGENCY: Federal Trade Commission.

ACTION: Notice of period for public comment on petition to reopen and vacate the order.

SUMMARY: Redman Industries, Inc., a corporate respondent in the order in Docket No. C-2640, has requested the Federal Trade Commission to vacate a 1974 consent order issued against it concerning its mobile home owners warranty and warranty practices. This document announces the public comment period on the petition.

DATES: Deadline for filing comments in this matter is February 10, 1988.

ADDRESSES: Comments should be sent to the Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue NW., Washington, DC 20580. The requests for copies of the request should be sent to the Public Reference Branch, Room 130.

FOR FURTHER INFORMATION CONTACT: Thomas D. Massie, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580, (202) 328-2982.

SUPPLEMENTARY INFORMATION: The order in Docket No. C-2640 was published at 40 FR 18989 on May 1, 1975. The petitioner, Redman Industries, Inc., manufactures mobile homes which are sold to the public through authorized dealers. Petitioner seeks to have the order vacated in its entirety. The order requires Redman to offer a warranty that describes the identity and address of the warrantor, the nature and extent of the warranty offered, the remedies available to the purchaser under the warranty, the manner in which Redman intends to provide for performance of

warranty obligations, any requirements which must be fulfilled by purchasers in order to obtain warranty service, a uniform procedure to be followed by purchasers in order to request warranty performance, and a uniform procedure available to purchasers to resolve warranty disputes; that Redman enter into formal agreements with its dealers setting forth the dealers' warranty service obligations; that all mobile homes be inspected prior to delivery to purchasers for defects and reinspected 90 days after delivery; and that warranty repairs be completed within specified time frames.

List of Subjects in 16 CFR Part 13

Mobile homes.

Emily H. Rock,

Secretary.

[FR Doc. 88-772 Filed 1-14-88; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Bureau of Land Management

30 CFR Parts 210 and 216

43 CFR Part 3160

Onshore Oil and Gas Production Accounting, Transfer of Responsibility

November 18, 1987.

AGENCY: Mineral Management Service (MMS), Interior.

ACTION: Proposed rule, request for comments.

SUMMARY: The Department of the Interior is transferring the responsibility for production accounting for onshore Federal and Indian oil and gas leases from the Bureau of Land Management (BLM) to the Mineral Management Service (MMS). Consequently, MMS is proposing to amend its regulations governing production accounting at 30 CFR Part 216 to add a requirement for lease operators to report onshore production data to MMS.

A phased conversion schedule is proposed to accomplish the transfer of production accounting from BLM to MMS. Due to the phased conversion, the existing BLM regulations at 43 CFR Part 3160 would remain in effect until the transfer is completed. However, 43 CFR Part 3160 is proposed to be amended to provide instructions to operators during the conversion.

The MMS is also proposing to amend 30 CFR Part 210 and to add a reference to an "Onshore Production Reporter Handbook" which would be distributed to all operators and would provide specific guidance on how to prepare and submit the required production data to MMS.

DATE: Comments must be received on or before February 16, 1988.

ADDRESS: Written comments, suggestions, or objections regarding the proposed rule should be mailed or delivered to the Minerals Management Service, Royalty Management Program, Rules and Procedures Branch, Denver Federal Center, Building 85, P.O. Box 25165, Mail Stop 662, Denver, Colorado 80225, Attention: Dennis C. Whitcomb.
FOR FURTHER INFORMATION CONTACT: Dennis C. Whitcomb, Chief, Rules and Procedures Branch, (303) 231-3432, (FTS) 326-3432.

SUPPLEMENTARY INFORMATION: The principal author of this rulemaking is Gregory Smith of the Production Accounting Division of the Royalty Management Program, MMS.

I. Background

At the Secretary of the Interior's request, a study was performed within the Department of the Interior (DOI) to determine the feasibility of extending the reporting requirements of the Production Accounting and Auditing System (PAAS) to onshore oil and gas leases. The Secretary also directed that the Royalty Management Advisory Committee (RMAC) propose recommendations on the issue.

The DOI study, called the "Minerals Lease Information Study" (MLIS), concluded in a September 1986 report that onshore implementation of PAAS

would be fiscally attractive to the Government and would offer several advantages to lease and royalty management programs. However, there would be a substantial increase in industry's costs of reporting. The RMAC panel recommended that DOI computerize the existing production report (Form BLM 3160-6) submitted to the BLM and use data from this form to effect systematic production/sales comparisons.

Because of the RMAC panel's recommendations, the Secretary directed, in March 1987, that an addendum to the MLIS report be completed to analyze various options of implementing the panel's recommendations. This addendum concluded that automation of a slightly modified version of the existing form should occur and that MMS should become responsible for the receipt, edit/error correction, and distribution of the data to BLM, the Bureau of Indian Affairs (BIA), States, and Indian Tribes.

Based on these studies, the Secretary decided in June 1987 that:

- Responsibilities for receipt and processing of production data should be transferred from BLM to MMS.
- Operators of Federal and Indian onshore oil and gas leases should continue to report production data on the existing production report, which will be slightly modified, and
- The MMS should distribute production data to all users.

II. Proposed Rule

This proposed rulemaking action would establish an onshore production reporting requirement under MMS regulations at 30 CFR 216.50 and provide for reporting by lease operators to MMS on a modified production report to be called the "Monthly Report of Operations" and designated as Form MMS-3160.

Changes to the existing Form BLM 3160-6 would include consolidation of unit agreement and communitization agreement number identification into one field, standardization of the report month identifier, allowance of gas inventory reporting and the addition of data elements to report gas volumes transferred for processing, plant name, operator contact name, and phone number. Changes are also proposed in the method of reporting well numbers. Currently, wells are identified on the production report by the operator's well number. This reporting method does not uniquely identify all wells on a lease or agreement. The MMS plans to conduct automated editing of production reports to ensure, among other things, that all wells on a lease/agreement are

reported. Such editing is impossible without unique identification of wells on the report. Therefore, MMS proposes to require reporting of wells on the new Form MMS-3160 by American Petroleum Institute (API) well number. The DOI will assign API well numbers to wells which have not previously been assigned such numbers. Several months before new requirements commence, each operator will be provided a list of all API well numbers to be used for production reporting purposes.

It is MMS's intent that all information obtained on the new Form MMS-3160 in regard to Federal leases, and Indian leases which are part of a unit containing non-Indian leases, be open for public inspection and copying. All information in regard to Indian leases, other than those which are part of a unit containing non-Indian leases will be considered to be proprietary or confidential. The MMS specifically requests comments on the proposed new reporting requirements and MMS's intended confidential treatment of the information.

The MMS proposes that the new Form MMS-3160 be added to the reports identified in 30 CFR 216.40(c). This would make each line of information required on the form subject to assessment for incorrect or late reports and failure to report. The reporter would also be subject to civil and criminal penalties under 30 CFR 241.51 and 241.52 for failure to comply with the Form MMS-3160 reporting requirements.

Specific and detailed guidance for preparation of the Form MMS-3160 would be forthcoming in an "Onshore Production Reporter Handbook" to be distributed to all operators. This proposed rulemaking includes the addition of a reference to the "Onshore Production Reporter Handbook" in §§ 210.53 and 216.15.

The MMS proposes a phased conversion schedule to accomplish the transfer of production accounting from BLM to MMS. Due to the phased conversion, the existing BLM regulations at 43 CFR Part 3160 would remain in effect until the conversion is completed. However, 43 CFR Part 3160 is proposed to be amended to provide instructions to operators during the conversion. The operators would be required to continue reporting production data to BLM on BLM Form 3160-6 until such time as they are notified to begin reporting to MMS. Notification will include start-up schedules, specific reporting guidelines, and facsimile (sample) reports to guide initial reporting.

In Phase 1a of the conversion schedule, only production reports (Form MMS-3160) related to production on

leases/agreements under the jurisdiction of the Wyoming BLM State Office would be due for receipt by MMS in Lakewood, Colorado, and in Phase 1b of the schedule, only reports under the jurisdiction of the Colorado, Montana, and Utah BLM State Offices would be due for receipt by MMS. In Phase 2, production reports related to production on leases/agreements under the jurisdiction of the Eastern States, Nevada, California, and Alaska BLM State Offices would be due for receipt by MMS. In Phase 3, production reports related to production on leases/agreements under the jurisdiction of the BLM Tulsa District Office would be due for receipt by MMS. In Phase 4, production reports related to production on all other leases/agreements under the jurisdiction of the New Mexico BLM State Office would be due for receipt by MMS. The MMS will publish in the Federal Register a notice on the MMS receipt due date for each phase of the conversion schedule at least 60 days prior to the date. Each operator would be given written notice to begin reporting to MMS on the Form MMS-3160 at least 30 days before the beginning of the production month for which they are being converted.

This proposed conversion schedule will be delayed if BLM or MMS experiences significant difficulty in preparatory work related to this transfer of responsibilities. Likewise, the conversion schedule will be delayed if the error rate for reports in any phase remains at a high level for 3 months after conversion.

Previous regulations have provided that operators would be given notification of changes to onshore production reporting requirements 1 year prior to implementation. The proposed rulemaking provides less than a 1-year notification because this would not be a major change to existing reporting requirements.

Operators participating in the onshore PAAS pilot program, and those who report both offshore and onshore production, are being requested to provide MMS their preference of reporting onshore operations on the standard PAAS forms or on the Form MMS-3160. After Phase 1 commences, all operators reporting production to MMS are subject to civil penalties and assessments if there is a violation of the reporting requirements.

Except for those operators reporting in the onshore PAAS pilot program, onshore operators would need to submit only the Form MMS-3160. However, a decision will be made in the future as to whether onshore lease operators

ultimately will be required to submit the PAAS Gas Analysis Report (Form MMS-4005) and whether onshore gas plant operators will be required to submit the PAAS Gas Plant Operations Report (Form MMS-4058) and Fractionation Plant Operations Report (Form MMS-4057). In accordance with 30 CFR 218.20, operators will be given a 1-year notice before reporting on these three forms is required if a decision is made to implement these requirements.

Operators submitting corrected/amended reports for reporting periods prior to the effective date of this rule would submit them to the appropriate BLM office. Those reports would be submitted on either the Form MMS-3160 or Form BLM 3160-6. However, all corrected/amended reports for prior periods must show the same well numbers as shown on the original submission.

III. Procedural Matters

Executive Order 12291 and Regulatory Flexibility Act

The Department of the Interior has determined that this document is not a major rule under E.O. 12291 and certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). The changes included in this proposed rulemaking are technical corrections only and not substantive changes. This proposed rulemaking would establish a reporting requirement in MMS regulations, that currently exists in BLM regulations, with a few additions to the information collection requirements.

Paperwork Reduction Act of 1980

The information collection requirements located at the proposed new § 218.50 have been submitted to the Office of Management and Budget (OMB) for approval as required by 44 U.S.C. 3501 et seq. The collection of this information will not be required until it has been approved by the Office of Management and Budget.

National Environmental Policy Act of 1969

The Department of the Interior has determined that this action does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, an environmental impact statement is not required under the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

List of Subjects

30 CFR Part 210

Continental shelf, Geothermal energy, Government contracts, Mineral royalties, Oil and gas exploration, Public lands—mineral resources, Reporting and recordkeeping requirements.

30 CFR Part 216

Mineral production, Mineral royalties, Reporting and recordkeeping requirements, Oil and gas, Solid minerals.

43 CFR Part 3160

Government contracts, Indian-lands, Land Management Bureau, Mineral royalties, Oil and gas exploration, Penalties, Public lands—mineral resources, Reporting and recordkeeping requirements.

Date: December 4, 1987.

J. Steven Gries,
Assistant Secretary, Land and Minerals Management.

For the reasons set out in the preamble, 30 CFR Parts 210 and 216 and 43 CFR Part 3160 are proposed to be amended as set forth below:

TITLE 30—MINERAL RESOURCES

CHAPTER II—MINERALS MANAGEMENT SERVICE, DEPARTMENT OF THE INTERIOR
SUBCHAPTER A—ROYALTY MANAGEMENT

PART 210—[FORMS AND REPORTS]

1. The authority citation for Part 210 continues to read as follows:

Authority: 25 U.S.C. 396 et seq.; 25 U.S.C. 396a et seq.; 25 U.S.C. 2101 et seq.; 30 U.S.C. 181 et seq.; 30 U.S.C. 351 et seq.; 30 U.S.C. 1001 et seq.; 30 U.S.C. 1701 et seq.; 43 U.S.C. 1301 et seq.; 43 U.S.C. 1331 et seq.; and 43 U.S.C. 1801 et seq.

2. Section 210.53 is revised to read as follows:

§ 210.53 Reporting instructions.

(a) Specific guidance on how to prepare and submit required information collection reports and forms to MMS is contained in an *Auditing and Financial System (AFS) Oil and Gas Payor Handbook, a Production Accounting and Auditing System (PAAS) Reporter Handbook, and an Onshore Production Reporter Handbook* which are available from: Minerals Management Service, Attention: Lessee (or Reporter) Contact Branch, P.O. Box 5760, T.A., Denver, Colorado 80217.

• • • • •

PART 216—PRODUCTION ACCOUNTING

1. The authority citation for Part 216 continues to read as follows:

Authority: 25 U.S.C. 396 et seq.; 25 U.S.C. 396a et seq.; 25 U.S.C. 2101 et seq.; 30 U.S.C. 181 et seq.; 30 U.S.C. 351 et seq.; 30 U.S.C. 1001 et seq.; 30 U.S.C. 1701 et seq.; 43 U.S.C. 1301 et seq.; 43 U.S.C. 1331 et seq.; and 43 U.S.C. 1801 et seq.

2. Section 216.10 is revised to read as follows:

§ 216.210 Information collection.

(a) The information collection requirements contained in Part 216 have been approved by the Office of Management and Budget (OMB) under 44 U.S.C. 3501 et seq. The forms and approved OMB clearance numbers are as follows:

Form No., name, and filing date	OMB No.
MMS-3160—Monthly Report of Operations—due by the 10th day of the second month following the production month.	1010-XXXX
MMS-4050—Mine Information Report—due at the request of MMS during the initial conversion of the mine/lease to the PAAS.	1010-0063
MMS-4051—Facility and Measurement Information Form and Supplement—due at the request of MMS during the initial conversion of the facility and measurement device operators to the PAAS.	1010-0040
MMS-4052—Well Information Form—due at the request of MMS during the initial conversion of the lease and agreement operators to the PAAS.	1010-0040
MMS-4053—First Purchaser Report—due at the request of MMS.	1010-0040
MMS-4054—Oil and Gas Operations Report—due by the 15th day of the second month following the production month.	1010-0040
MMS-4055—Gas Analysis Report—due by the 15th day of the second month following the production month.	1010-0040
MMS-4056—Gas Plant Operations Report—due by the 15th day of the second month following the production month.	1010-0040
MMS-4057—Fractionation Plant Operations Report—due by the 15th day of the second month following the production month.	1010-0040
MMS-4058—Production Allocation Schedule Report—due by the 15th day of the second month following the production month.	1010-0040
MMS-4059—Solid Minerals Operation Report—due by the 15th day of the second month following the production month.	1010-0063
MMS-4060—Solid Minerals Facility Report—due by the 15th day of the second month following the production month.	1010-0063
MMS-4061—API Well Number Change Report—due 10 days prior to submission of Form MMS-4054.	1010-0040

(b) The information collected will be used to permit accounting and auditing of production information submitted by the reporter for mineral production from Federal and Indian leases and federally approved agreements. Information reporting forms are available from MMS. Requests shall be addressed to: Minerals Management Service, Royalty Management Program, P.O. Box 17110, Denver Colorado 80217.

3. Section 216.15(a) is revised to read as follows:

§ 216.15 Reporting instructions.

(a) Specific guidance on how to prepare and submit required information collection reports and forms to MMS is contained in a *Production Accounting and Auditing System (PAAS) Reporter Handbook*, and an *Onshore Production Reporter Handbook*, which are available from: Minerals Management Service, Attention: Report Contact Branch, P.O. Box 17110, Denver, Colorado 80217.

4. Section 216.40(c) is revised to read as follows:

§ 216.40 Assessment for incorrect or late reports and failure to report.

(c) For purposes of oil and gas reporting under the PAAS, a report is defined as each line of production information required on the Monthly Report of Operations (Form MMS-3160), Oil and Gas Operations Report (Form MMS-4054), Gas Analysis Report (Form MMS-4055), Gas Plant Operations Report (Form MMS-4056), Fractionation Plant Operations Report (Form MMS-4057), and Production Allocation Schedule Report (Form MMS-4058).

5. Section 216.50 is added to read as follows:

§ 216.50 Monthly report of operations.

(a) Notwithstanding the provisions of §§ 216.6(e) and 216.20 of this part, an operator will be required to comply with the requirements of this section the beginning of the production month which is more than 30 days after MMS notifies the operator that it is subject to the requirements of this section. Until this section is applicable, operators shall continue to be subject to the reporting requirements of 43 CFR Part 3160.

(b) A Monthly Report of Operations (Form MMS-3160) must be filed by each operator of each onshore Federal or Indian lease or agreement containing at least one well not permanently plugged and abandoned unless production data is authorized to be reported on Form MMS-4054. A completed Form MMS-3160 must be filed for each calendar month, beginning with the month in which drilling operations are initiated, and must be filed on or before the 10th day of the second month following the month being reported until the lease or agreement is terminated, or the last well is approved as permanently plugged or abandoned by BLM, or until monthly omission of the report is authorized by the MMS. The MMS may grant time extensions for filing Form MMS-3160 on a case-by-case basis upon written request to the Chief, Production

Accounting Division, Royalty Management Program, MMS.

(c) Specific and detailed guidance on how to prepare and submit the required production data on the Form MMS-3160 are contained in a *MMS Onshore Production Reporter Handbook*. See § 216.15 of this part.

(d)(1) Operators already reporting onshore lease production data to MMS in accordance with § 216.54 of this part on the effective date of this rule may request to change to the provisions of this section. Any request to change the requirements of this section must be made by advance written notice of MMS and have MMS approval.

(2) An operator who reports production data to MMS for offshore leases in accordance with § 216.54 of this part may request to report for its onshore leases in accordance with the requirements of that section. Any such request must be made by advance written notice to MMS and have MMS approval.

(e)(1) Information submitted on Form MMS-3160 in regard to Federal leases and Indian leases which are part of a unit containing non-Indian leases is not considered to be proprietary or confidential.

(2) All information submitted on Form MMS-3160 in regard to Indian leases, other than those included in paragraph (e)(1) of this section, will be considered to be proprietary or confidential.

TITLE 43—PUBLIC LANDS: INTERIOR**CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR****PART 3160—ONSHORE OIL AND GAS OPERATIONS—GENERAL**

1. The authority citation for Part 3160 continues to read as follows:

Authority: The Mineral Lands Leasing Act of 1920, as amended and supplemented (30 U.S.C. 181 *et seq.*), the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C. 351-359), the Act of May 21, 1930 (30 U.S.C. 301-306), the Act of March 3, 1909, as amended (25 U.S.C. 396), the Act of May 11, 1938, as amended (25 U.S.C. 396a-396q), the Act of February 28, 1891, as amended (25 U.S.C. 397), the Act of May 29, 1924 (25 U.S.C. 398), the Act of March 3, 1927 (25 U.S.C. 298a-398e), the Act of June 30, 1919, as amended (25 U.S.C. 399), R.S. section 441 (43 U.S.C. 1457), see also Attorney General's Opinion of April 2, 1941 (40 Op. Atty. Gen. 41), the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 *et seq.*), the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), the Act of December 12, 1980 (42 U.S.C. 6508), the Combined Hydrocarbon Leasing Act of 1981 (Pub. L. 97-78); the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C.

1701 *et seq.*); and the Indian Mineral Development Act of 1982 (25 U.S.C. 2102).

2. Section 3162.4-3 of Subpart 3162—Requirements for Lessees and Operators, is amended by adding a sentence at the beginning of the introductory text to read as follows:

§ 3162.4-3 Monthly report of operations (Form 3160-61).

The operator shall report production data to BLM in accordance with the requirements of this section until required to begin reporting to MMS pursuant to 30 CFR 216.50. . . .

[FR Doc. 88-754 Filed 1-14-88; 8:45 am]

BILLING CODE 4310-MR-M

VETERANS ADMINISTRATION**38 CFR Part 21****Vocational Rehabilitation Panel**

AGENCY: Veterans Administration.

ACTION: Proposed regulatory amendment.

SUMMARY: The Veterans Administration (VA) is proposing to change the procedure under which a special review is provided in cases in which discontinuance of the rehabilitation program of a veteran with a service-connected disability of 50 percent or more is being considered. These reviews are currently conducted by the Vocational Rehabilitation Panel (VRP). Under the proposed change this responsibility would be reassigned to the Vocational Rehabilitation and Counseling (VR&C) Officer. The change would provide greater flexibility in utilizing the VRP, improve program administration, and maintain the quality of service to seriously disabled veterans.

DATES: Comments must be received on or before February 12, 1988. Comments will be available for public inspection until February 26, 1988. We propose to make these amendments effective 30 days after publication of the final regulations.

ADDRESSES: Interested persons are invited to submit written comments, suggestions, or objections regarding these changes to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420. All written comments received will be available for public inspection only in the Veterans Services Unit, Room 132 at the above address, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday